IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

Company Appeal No.7/2006
D.K. Adikeshavulu, Bangalore
Vs.
Canara Bank.

Office Notes, Office Memoranda of Coram appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM : **A.P. LAVANDE & R. V. MORE, JJ.**
DATED : 15th October**, 2007**

Heard Mr. Manohar, learned counsel for the appellant and Mr. Sundaram, learned counsel for the respondent.

This appeal has been preferred challenging the order passed by the learned Single Judge under Order 38 Rule 5 of the Code of Civil Procedure. During pendency of this appeal on 19.2.2007 the appellant has also given an undertaking to this Court that he shall not transfer, mortgage, dispose of or deal with five properties mentioned therein till the disposal of Special Civil Suit No. 1 of 1999 pending before the learned Single Judge of this Court.

Learned Counsel for the parties have no objection, if the appeal is disposed of in terms of the

said undertaking.

In view of the above position, the appeal is disposed of. The undertaking dated 19.2.2007 given by the appellant is accepted and shall be in force till disposal of Special Civil Suit No. 1 of 1999.

In view of the above, the impugned orders dated 29.6.2001 and 9/12/2005 in CA No.4893/2000 insofar as the appellant is concerned are quashed and set aside.

Company Appln. No.3/2007

In view of disposal of main appeal, nothing survives in the application.

Application stands disposed of.

JUDGE **JUDGE**

MLA.